

SOUTHERN CALIFORNIA



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MEETING OF THE

ENERGY & ENVIRONMENT COMMITTEE

Thursday, February 3, 2005

10:30 a.m. – 12:15 p.m.

SCAG Offices

818 W. 7th Street, 12th Floor

Riverside A Conference Room

Los Angeles, California 90017

213. 236.1800

If members of the public wish to review the attachments
or have any questions on any of the agenda items,
please contact Lisa Taylor at 213.236.1891 or
taylorl@scag.ca.gov

Agendas and Minutes for the Energy and Environment
Committee are also available at:

www.scag.ca.gov/committees/eec.htm

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ENERGY & ENVIRONMENT COMMITTEE

AGENDA

	PAGE #	TIME
1.0 <u>ELECTION OF VICE CHAIR</u>		
2.0 <u>CALL TO ORDER & PLEDGE OF ALLEGIANCE</u>	Councilmember Clark, Chair	
3.0 <u>PUBLIC COMMENT PERIOD</u> Members of the public desiring to speak on an agenda item or items not on the agenda, but within the purview of the Committee, must fill out and present a speaker's card to the Assistant prior to speaking. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The chair may limit the total time for all comments to twenty (20) minutes.		
4.0 <u>REVIEW and PRIORITIZE AGENDA ITEMS</u>		
5.0 <u>CONSENT CALENDAR</u>		
5.1 <u>Approval Item</u>		
5.1.1 <u>Approve Minutes of January 6, 2005 Attachment</u>		01
5.2 <u>Receive and File</u>		
5.2.1 <u>State and Federal Legislative Matrix Attachment</u>		05
5.2.2 <u>SCAG Future Events Calendar Attachment</u>		13
A working calendar of projected SCAG meetings and events.		



ENERGY & ENVIRONMENT COMMITTEE

AGENDA

PAGE #

TIME

6.0 ACTION ITEMS

None at this time.

7.0 INFORMATION ITEMS

- | | | | | |
|-----|---|------------------------------|----|------------|
| 7.1 | <u>Energy Chapter of Regional Comprehensive Plan Attachment</u> | Alan Thompson,
SCAG Staff | 16 | 15 minutes |
|-----|---|------------------------------|----|------------|

The Regional Comprehensive Plan Task Force identified regional energy policy gaps for the EEC's consideration.

- | | | | | |
|-----|--|------------------------------|----|-----------|
| 7.2 | <u>Solid Waste Chapter of the Regional Comprehensive Plan Attachment</u> | Alan Thompson,
SCAG Staff | 17 | 5 minutes |
|-----|--|------------------------------|----|-----------|

Staff will present the progress on the Solid Waste chapter of the Regional Comprehensive Plan.

- | | | | | |
|-----|--|---------------------------|--|------------|
| 7.3 | <u>Update on AQ Mitigation of Goods Movement</u> | Ted Harris,
SCAG Staff | | 10 minutes |
|-----|--|---------------------------|--|------------|

The Committee will be briefed on a preliminary Evaluation of opportunities to reduce emissions from port expansion.

- | | | |
|-----|---------------------------------------|-------------------------------|
| 8.0 | <u>WATER POLICY TASK FORCE REPORT</u> | Councilmember Washburn, Chair |
|-----|---------------------------------------|-------------------------------|

- | | | |
|-----|-----------------------|----------------------------|
| 9.0 | <u>CHAIR'S REPORT</u> | Councilmember Clark, chair |
|-----|-----------------------|----------------------------|



SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS

ENERGY & ENVIRONMENT COMMITTEE

AGENDA

PAGE #

TIME

10.0 STAFF REPORT

Sylvia Patsaouras,
SCAG Staff

11.0 FUTURE AGENDA ITEMS

Any Committee members or staff desiring to place items on a future agenda may make such request. Comments should be limited to three (3) minutes.

12.0 ANNOUNCEMENTS

13.0 ADJOURNMENT

The next meeting of the Energy and Environment Committee will be held in the SCAG offices on Thursday, March 3, 2005.



Energy and Environment Committee
January 6, 2005

Action Minutes

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE ENERGY AND ENVIRONMENT COMMITTEE. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Energy and Environment Committee held its meeting at SCAG Offices downtown Los Angeles. The meeting was called to order by Margaret Clark, Chair, Rosemead. There was a quorum.

Members Present

Bertone, Denis	SGVCOG
Clark, Margaret (Chair)	City of Rosemead
Cook, Debbie	City of Huntington Beach
Forester, Larry	City of Signal Hill
Krause, Mary Ann	City of Santa Paula
Marchand, Paul	City of Cathedral City
Nelson, Larry	City of Artesia
Van Arsdale, Lori	City of Hemet
Washburn, Dennis	City of Calabasas
Young, Toni	City of Port Hueneme

Members Not Present

Ashley, Marion	Riverside County
Eckenrode, Norman	City of Placentia
Harrison, Jon	City of Redlands
King, Dorothy	Gateway Cities COG
Portantino, Anthony	City of La Canada/Flintridge
Zerunyan, Frank	South Bay Cities COG

New Members

Bertone, Denis	SGVGOC
King, Dorothy	Gateway Cities COG
Zerunyan, Frank	South Bay Cities COG

Energy and Environment Committee
January 6, 2005

Action Minutes

1.0 CALL TO ORDER & PLEDGE OF ALLEGIENCE

Hon. Margaret Clark, Chair, called the meeting to order at 10:35 a.m.

2.0 PUBLIC COMMENT PERIOD

None

3.0 REVIEW and PRIORITIZE

Items received in the following order: 6.1; 5.1; 6.2; 6.3 then 6.4.

4.0 CONSENT CALENDAR

4.1 Approval Item

4.1.1 Action Minutes of November 4, 2004

*Motion by Krause to approve the Action Minutes, Seconded by Washburn, then
Approved by the majority of the Committee. Marchand and Van Arsdale abstained.*

4.2 Receive and File

4.2.1 SCAG Future Events Calendar

5.0 ACTION ITEMS

5.1 2004 RTP/RTIP 8-hour Ozone Conformity Determination

Ted Harris, SCAG Staff, asked the Committee to approve the release of the draft 8-hour ozone conformity determination for public comment. The new federal conformity regulation for 8-hour ozone requires SCAG to receive approval from the US DOT by June 15, 2005. The 8-hour ozone conformity determination includes reaffirmation of the approved conformity findings for the 2004 RTP and RTIP.

*Motion by Krause to release the draft for comment, Seconded by Washburn, then
Approved Unanimously by the Committee.*

Energy and Environment Committee
January 6, 2005

Action Minutes

6.0 INFORMATION ITEMS

6.1 Implementation of the California Air Resources Board's (CARB) Refuse Rule

Sarah Siwek, Siwek and Associates, briefed the Committee on CARB's Refuse Rule. This rule, passed in April 2004, relates specifically to garbage trucks and requires a reduction of particulate matter and makes the reduction of NOx optional. Since the introduction of the rule, new control technology has become available and she urged the region to achieve reductions in both particulates and NOx, thus, improving air quality.

6.2 Port of Los Angeles Baseline Air Emission Inventory

Ralph Appy, Port of Los Angeles, provided the Committee with a presentation on the Air Emission Inventory Project and some possible air quality control measures at the ports. Project Objectives include: Address concerns about potential health impacts to the community surrounding the Port; provide the Port with a baseline inventory planning tool for the development, prioritization and implementation of emission control strategies to reduce these impacts.

6.3 Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning

Terry McCall, AQMD, returned to report on the status of the guidance document, formerly known as the model air quality element. The guidance document is consistent with state laws for general plans and gives cities various options depending on local needs. Currently, AQMD is in the public comment phase of the document and has asked the Committee to participate in the process.

6.4 Energy Chapter of the Regional Comprehensive Plan

Brett Sears, SCAG Staff, updated the Committee on the progress of the Energy Chapter of the Regional Comprehensive Plan. SCAG staff engaged experts and a group of local government officials versed in energy issues. The Regional Comprehensive Task Force then reviewed the policies in this chapter and directed staff to incorporate comments and proceed with a draft of the Energy Chapter. The draft is expected to be ready in the Spring of 2005.

The Committee also discussed the desire to reconvene the Solid Waste Task Force to review the Conversion Report and another conversion bill being resubmitted by Russ Bough.

Energy and Environment Committee
January 6, 2005

Action Minutes

7.0 WATER POLICY TASK FORCE REPORT

Next meeting – February 10, 2005, 10a.m. to 12 noon.

8.0 CHAIR'S REPORT

None

9.0 STAFF REPORT

10.0 FUTURE AGENDA ITEMS

- Energy Chapter of the Regional Comprehensive Plan
- Waste Chapter of the Regional Comprehensive Plan

11.0 ANNOUNCEMENTS

None

12.0 ADJOURNMENT

Hon. Margaret Clark adjourned meeting at 12:20pm.

The next meeting of the Energy and Environment Committee
will be held in the SCAG offices on Thursday, February 3, 2005.

Action Minutes Approved
by:


Sylvia Patsaouras, Manager
Energy and Environment

MEMO

DATE: February 3, 2005

TO: The Regional Council
The Community Economic and Human Development Committee
The Energy and Environment Committee
The Transportation and Communications Committee (TCC)

FROM: Charlotte Picnkos, Government Affairs Analyst
Phone: (213) 236-1811 E-Mail: picnkos@scag.ca.gov

SUBJECT: State and Federal Legislative Matrix

The California State Legislature reconvened on January 3rd, launching the 2005-2006 Legislative Session. This is the first year of a two-year session; no bills or constitutional amendments have carried over from 2004. Since the 3rd, Governor Arnold Schwarzenegger has met the constitutional deadline of submitting his Fiscal Year 2005-06 Budget to the Legislature. Bill introduction during this early part of the session will be guided by two dates: January 21st is the last day to submit bill requests to the Office of Legislative Counsel, and February 18th is the last day for bill introduction.

SCAG Government Affairs staff is reviewing new bills as they are introduced for relevance to SCAG's jurisdictional areas of interest. As of this writing on January 13, 2005, fourteen bills or constitutional amendments have been flagged for further review. Attached to this memo, all fourteen are listed in a brief summary for the Regional Council. Each committee, however, will receive with this memo a more detailed look at bills within its field. Due to the congressional inaugural break, there is no federal legislation to review at this time.



Private file: AirQuality

CA AB 17

AUTHOR: Koretz (D)
TITLE: Coastal Resources: Beaches: Prohibiting Smoking
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
LOCATION: Assembly Natural Resources Committee
CODE SECTION:

An act to add Section 516 to the Public Resources Code, relating to coastal resources.

SUMMARY:

Makes it an infraction for a person to smoke a pipe, cigar, or cigarette on a state coastal beach. Permits the state to develop and post signs at a state coastal beach to provide notice of the smoking prohibition.

DIGEST:**LEGISLATIVE COUNSEL'S DIGEST**

AB 17, as introduced, Koretz. Coastal resources: beaches: prohibiting smoking.

Existing law makes it an infraction for a person to smoke a cigarette, cigar, or other tobacco-related product within 25 feet of a playground or tot lot sandbox area.

This bill would make it an infraction for a person to smoke, as defined, a pipe, cigar, or cigarette on a state coastal beach, as defined. The bill would establish a state-mandated local program by creating a new crime.

This bill would permit the state to develop and post signs at a state coastal beach to provide notice of the smoking prohibition, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

STATUS:

12/06/2004

INTRODUCED.

01/06/2005

To ASSEMBLY Committees on NATURAL RESOURCES and GOVERNMENTAL ORGANIZATION.

Subject:

AirQuality

CA AB 32

AUTHOR: Pavley (D)
COAUTHOR(S): Chan (D), Laird (D), Simitian (D)
TITLE: Greenhouse Gas Emissions: California Climate Registry
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
LOCATION: ASSEMBLY
CODE SECTION:

An act to amend Sections 42801 and 42823 of the Health and Safety Code, relating to air pollution.

SUMMARY:

Revises the functions and duties of the California Climate Action Registry. Requires the registry, in coordination with the California Environmental Protection Agency and the State Energy Resources Conservation and Development Commission, to adopt specified procedures and protocols both for monitoring, estimating, calculating, reporting, and certifying greenhouse gas emission reduction projects, and for monitoring emissions resulting from specified industrial sectors.

DIGEST:**LEGISLATIVE COUNSEL'S DIGEST**

AB 32, as introduced, Pavley. Greenhouse Gas Emissions: California Climate Action Registry.

Existing law requires the Secretary of the Resources Agency to establish the California Climate Action Registry (hereafter registry) as a public benefit nonprofit corporation, and makes legislative findings and declarations relating to the registry. Existing law requires the registry to

perform various functions, including, among other things, the adoption of procedures and protocols for the reporting and certification of greenhouse gas emission reductions resulting from a project or an action of a participant in the registry.

This bill would revise the functions and duties of the registry by requiring the registry, in coordination with the California Environmental Protection Agency and the State Energy Resources Conservation and Development Commission, to adopt specified procedures and protocols both for monitoring, estimating, calculating, reporting, and certifying greenhouse gas emission reduction projects, and for monitoring, estimating, calculating, reporting, and certifying greenhouse gas emissions resulting from specified industrial sectors, as provided. This bill would require the registry to coordinate with state agencies to promote the development of harmonized reporting standards, as specified, and would require the registry, to the extent possible, to coordinate with other states and regions to ensure that businesses and organizations operating both in this state and out of state follow uniform protocols when reporting to multiple registries, states, or regions.

This bill would also make additional legislative findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

STATUS:

12/06/2004

INTRODUCED.

Subject:

AirQuality

CA SB 44

AUTHOR:

Kehoe (D)

TITLE:

General Plans: Air Quality Element

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

LOCATION:

SENATE

CODE SECTION:

An act to amend Section 65302.1 of the Government Code, relating to general plans.

SUMMARY:

Requires the legislative body of each city and county, other than those in the San Joaquin Valley Air Pollution Control District, to amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing elements.

DIGEST:

LEGISLATIVE COUNSEL'S DIGEST

SB 44, as introduced, Kehoe. General plans: air quality element.

Existing law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries that bears relation to its planning. The law requires the plan to include a specified land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, and other categories of public and private uses of land. Existing law specifically requires the legislative body of each city and county within the jurisdictional boundaries of the San Joaquin Valley Air Pollution Control District to amend appropriate elements of its general plan to include specified information to improve air quality.

This bill would make legislative findings and declarations regarding air pollution problems in this state. The bill additionally would require the legislative body of each city and county, other than those in the San Joaquin Valley Air Pollution Control District, to amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing element.

The bill would also require each city and county, at least 45 days prior to the adoption of air quality amendments to a general plan, to send a copy of the draft document to the air quality management district or air pollution control district in which it is located for review and comment, as specified. By increasing the duties of local public officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts

for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

STATUS:

01/04/2005

INTRODUCED.

Subject:

AirQuality, LandUse

Private file: Energy

CA SB 1

AUTHOR:

Murray (D)

COAUTHOR(S):

Campbell (R)

TITLE:

Energy: Renewables Portfolio Standard Program

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

LOCATION:

SENATE

CODE SECTION:

An act to amend Section 25744 of, and to add Sections 25407, 25744.4, and 25744.5 to, the Public Resources Code, and to amend Sections 399.6, 399.8, and 2827 of, and to add Section 379.8 to, the Public Utilities Code, relating to energy, and making an appropriation therefor.

SUMMARY:

Establishes the Solar Homes Peak Energy Procurement Subaccount within the Emerging Renewable Resources Account to fund the Solar Homes Peak Energy Procurement Program. Requires the Energy Commission to award rebates. Authorizes the Commission to provide incentives, to support the installation of solar energy systems on existing and new residential construction. Requires that amounts collected to fund such alternative energy and research and development be set by the PUC.

DIGEST:

LEGISLATIVE COUNSEL'S DIGEST

SB 1, as introduced, Murray. Energy: renewable energy resources: California Renewables Portfolio Standard Program.

(1) Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to expand and accelerate development of alternative sources of energy, including solar resources. Existing law requires the Energy Commission, until January 1, 2006, and to the extent that funds are appropriated for that purpose in the annual Budget Act, to implement a grant program to accomplish specified goals, including making solar energy systems cost competitive with alternate forms of energy.

The existing Public Utilities Act requires the Public Utilities Commission (PUC) to require Pacific Gas and Electric Company, San Diego Gas and Electric, and Southern California Edison to identify a separate electrical rate component to fund programs that enhance system reliability and provide in state benefits. This rate component is a nonbypassable element of local distribution and collected on the basis of usage. The funds are collected to support cost-effective energy efficiency and conservation activities, public interest research and development not adequately provided by competitive and regulated markets, and renewable energy resources. Existing PUC resolutions refer to the nonbypassable rate component as a "Public Goods Charge" (PGC). Existing law requires that the PGC not exceed, for any tariff schedule, the level that was in effect on January 1, 2000. Existing law requires that the PGC be adjusted annually at a rate equal to the lesser of the annual growth in electric commodity sales or inflation, as defined. Existing law requires the Energy Commission to transfer funds collected by electrical corporations for in state operation and development of existing and new and emerging renewable resources technologies into the Renewable Resource Trust Fund, to fund specified programs.

Existing law requires that 17.5% of the money collected under the renewable energy public goods charge be used to fund the Emerging Renewable Resources Account within the Renewable Resource Trust Account, for the purpose of a multiyear, consumer-based program to foster the development of emerging renewable technologies in distributed generation applications.

This bill would establish the Solar Homes Peak Energy Procurement Subaccount within the Emerging Renewable Resources Account and would make the moneys therein available, upon appropriation by the Legislature, to fund the Solar Homes Peak Energy Procurement Program,

which the bill would establish. The bill would require the Energy Commission to award rebates, and would authorize the Energy Commission to provide incentives, to support the installation of solar energy systems, as defined, on existing and new residential construction. The bill would require that the amounts collected to fund energy efficiency, renewable energy, and research, development, and demonstration be set at the levels established by the PUC for 2005, and would require that any moneys collected above those 2005 levels during 2006 and 2007 be transferred to the Solar Homes Peak Energy Procurement Subaccount.

This bill would require that the PUC, on or before February 1, 2006, and in consultation with the Energy Commission, issue an order initiating an investigation and opening a ratemaking proceeding, or to expand the scope of an existing proceeding, to adopt and implement a program to invest in residential solar energy systems. The bill would require the PUC to complete its investigation and proceeding and adopt the program no later than January 1, 2008. The bill would require every local publicly owned electric utility, as defined, to establish a solar homes program consistent with the program adopted and implemented by the PUC, within a reasonable time after the PUC establishes any program for electrical corporations. Each local publicly owned electric utility would be required to report, on an annual basis, to its customers and to the Energy Commission, information relative to the utility's solar homes program and would authorize the Energy Commission to establish guidelines for the information to be included in the annual report.

(2) Under the Reliable Electric Service Investments Act, the Energy Commission was required to hold moneys collected for renewable energy and deposited in the Renewable Resource Trust Fund until further action by the Legislature. The act requires the Energy Commission to create an initial investment plan, in accordance with specified objectives, to govern the allocation of funds in the Renewable Resource Trust Fund collected between January 1, 2002, and January 1, 2007, in order to ensure a fully competitive and self sustaining California renewable energy supply. Existing law requires the Energy Commission, on or before March 31, 2006, to prepare an investment plan proposing the application of moneys collected between January 1, 2007, and January 1, 2012.

This bill would delete the requirement that moneys collected for renewable energy and deposited in the Renewal Resource Trust Fund be held until further action by the Legislature. The bill would require the Energy Commission, on or before March 31, 2006, to prepare a report, rather than an investment plan, describing the application of moneys collected between January 1, 2007, and January 1, 2012, and to describe the use of any funds applied toward program activities during the period January 1, 2002, through March 31, 2006.

(3) Existing law authorizes a local government to develop and administer a program to encourage the construction of buildings that use solar thermal and photovoltaic systems meeting certain standards and requires that any program recognize owners and builders who participate in the program by awarding these owners and builders a "Sunny Homes Seal."

This bill would require that beginning January 1, 2008, a seller of production homes, as defined, offer the option of a solar energy system, as defined, to all customers negotiating to purchase a new production home and to disclose certain information.

(4) Existing law requires every electric service provider, as defined, to develop a standard contract or tariff providing for net energy metering, and to make this contract available to eligible customer generators, upon request. Existing law requires every electric service provider, upon request, to make available to eligible customer generators contracts for net energy metering on a first-come-first-served basis until the time that the total rated generating capacity used by eligible customer generators exceeds 0.5% of the electric service provider's aggregate customer peak demand.

This bill would require that every electric service provider, upon request, make available to eligible customer generators contracts for net energy metering on a first-come-first-served basis until the time that the total rated generating capacity used by eligible customer generators exceeds 5% of the electric service provider's aggregate customer peak demand and would delete certain provisions of existing law relative to the annualized net metering calculation.

(5) Under existing law, a violation of the Public Utilities Act or an order or direction of the PUC is a crime.

Because various provisions of this bill are within the act and require action by the PUC to

implement the bill's requirements, a violation of those provisions would be a crime thereby imposing a state-mandated local program by creating a new crime.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

STATUS:

12/06/2004

INTRODUCED.

Subject:

Environment

Private file: Water

CA SB 31

AUTHOR: Florez (D)
TITLE: Water Fees
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
LOCATION: SENATE
CODE SECTION:

An act to amend Sections 1528, 1530, 1540, 1552, and 13160.1 of, to add Sections 1526 and 1527 to, to add and repeal Article 5 (commencing with Section 1565) of Chapter 8 of Part 2 of Division 2 of, and to repeal and add Section 1525 of, the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

SUMMARY:

Revises provisions for making water rights filings with the Water Resources Control Board. Changes the listing of applications subject to the board's schedule of fees. Denominates the fees as transaction fees. Limits the fees to processing costs. Requires adjustments of individual transactional fees. Requires the annual permit or license fees to be imposed based upon the number of acre-feet of water covered by the permit or license.

DIGEST:

LEGISLATIVE COUNSEL'S DIGEST

SB 31, as introduced, Florez. Water fees.

Existing law requires the State Water Resources Control Board, by emergency regulation, to establish fees for making specified water rights filings with the board. The total amount of these fees is required to equal the amount required to recover the board's costs incurred to issue, administer, review monitor, and enforce permits, licenses, certificates, and registrations to appropriate water, water leases, and orders approving changes in point of discharge, place of use, or purpose of use of treated wastewater.

Existing law also requires the board to establish annual fees for holders of permits or licenses to appropriate water and for specified lessors of water.

This bill would substantially revise and recast the provisions for making water rights filings with the board, among other things, to change the listing of applications subject to the board's schedule of fees, to denominate the fees as transactional fees, to limit the fees to processing costs, to require adjustment of individual transactional fees that exceed or are less than average processing cost, to require prescribed fees for parties and entities participating in an evidentiary hearing.

This bill would require the annual permit or license fees to be imposed based upon the number of acre-feet of water covered by the permit or license. The bill would preclude charging duplicate annual permit or license fees to holders of multiple diversion or use licenses or permits, and would require the board to ensure comparable fees per acre foot as to all payors. The bill would place prescribed total annual revenue caps on these fees and would limit the board to expending these fees only for specified activities authorized for expenditure from the Water Rights Fund. The bill would require the board to adopt these fees by emergency regulation.

The bill would require the transactional and annual fees to be imposed upon, or allocated to, lawful users of the water. The bill would preclude imposition of these fees with respect to riparian and pre-1914 water rights. The bill would authorize the board to waive all or a portion of the

The bill would require the state board to convene an advisory group or groups, comprised of specified persons, to assist the evaluation of water rights fee requirements. The bill would require the board to provide public notice on its Web site and, upon request, written notice to interested parties, of meetings of the advisory group or groups and to take other actions to facilitate the participation of the public. The bill would repeal these provisions concerning an advisory group or groups on January 1, 2007.

Existing law requires the board to establish a fee schedule for persons filing a proof of claim to surface water rights, so that the fees are sufficient on average to pay the administrative expenses of the board in processing, reviewing, and preparing a report on the claims submitted to the board.

Existing law authorizes the board's regulations establishing water rights fees to include provisions for administration and collection. Existing law also requires the schedules of fees to be graduated in accordance with the number of diversions or amount of water involved.

Existing law specifies that if the United States or an Indian tribe otherwise required to pay a fee or expense imposed by the board will not pay it due to sovereign immunity, the board may allocate the fee or expense to those who have contracts for the delivery of the water.

Existing law authorizes money in the Water Rights Fund to be used by the board, upon appropriation, for prescribed purposes.

Existing law authorizes the board to establish reasonable fees to cover costs incurred by its and by regional water quality control boards in connection with certificates required or authorized by federal law with respect to the effect of any existing or proposed facility, project, or construction work upon the quality of waters in the state. Under existing law these fees may be imposed as a single fee or as periodic or annual charges. Existing law specifies the persons upon whom the fee may be imposed.

0011

The bill would declare that it would take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

STATUS:

12/09/2004

INTRODUCED.

Subject:

Water

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April 2005 Events

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
		11:00a Communication & Membership 11:30a ASPA	9:00a RCTC	8:00a Executive 9:00a ADMIN 10:30a EEC 10:30a CEHD 10:30a TCC 12:30p RC 10:00a Water Policy 10:00a Aviation Technical Advisory Committee (location varies) 12:00p Strategic Plan	10:00a VCTC	
			9:30a Goods Movement 10:00a Audit/Best Practices 11:15a MAGLEV			
		10:00a Transportation Conformity Working Group		9:30a Subregional Coordinators		

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Printed January 20, 2005

MEMO

DATE: February 3, 2005

TO: Energy and Environment Committee

FROM: Alan Thompson, Senior Regional Planner, (213) 236-1940, thompson@scag.ca.gov

SUBJECT: Energy Chapter of the Regional Comprehensive Plan, Policy Gap

SUMMARY:

SCAG staff, under the direction of the Regional Comprehensive Plan Task Force, is completing a new draft Regional Comprehensive Plan (RCP) during the current fiscal year. The Energy and Environment Committee has purview over several topics within the plan, including energy. The Task Force has completed its discussions for the Energy Chapter, and made a report to this Committee. Notably, the Task Force identified a deficiency in regional policy related to energy, in that the region does not have a policy on energy generation, and recommended that the Committee consider new policy deliberations to address this gap.

BACKGROUND:

On October 7, 2004, the Regional Council approved the concept and approach for the completion of a new Regional Comprehensive Plan (RCP). In brief, staff will present a draft RCP for the Regional Council's consideration at the end of the current fiscal year. Staff's efforts in completing the plan are directed by the Regional Comprehensive Plan Task Force, comprised of 10 members representing each of the three policy committees. The Community, Economic and Human Development Committee (CEHD) has purview over the plan as a whole, but the EEC has purview over topics related to the environment and natural resources.

The purpose of the plan is to consolidate and translate the existing body of SCAG policies, and provide practical direction on implementation for outside entities. To that end, the Task Force has reviewed current energy policies compiled by staff. The Task Force found that the region does not have an effective or comprehensive policy related to energy generation. Such a policy should cover whether the region should pursue new generating capacity, and if so, where and what type of generation should take place.

The RCP approaches and concepts call for the Task Force, when it identifies policy deficiencies, to report to the appropriate policy committee. New policy deliberations can then be undertaken at the policy committee's discretion. Should a new policy be created during the current fiscal year, it will be incorporated into the RCP.

The lack of an energy generation policy is agendized at this time for discussion. Staff is prepared to pursue any follow up activities as directed by the Committee.

MEMO

TO: Energy and Environment Committee

FROM: Alan Thompson, Senior Regional Planner, (213) 236-1940,
thompson@scag.ca.gov

DATE: February 3, 2005

SUBJECT: Solid Waste Chapter of the Regional Comprehensive Plan

SUMMARY:

Per Regional Council direction, SCAG staff is preparing a Regional Comprehensive Plan (RCP) to implement and promote policy objectives of the Regional Council, fulfill the new organizational Strategic Plan, and serve to assist outside parties in working within regional plans. One chapter of the RCP is the Solid Waste chapter.

At its December 15, 2004 meeting, the RCP Task Force reviewed current SCAG policies regarding solid waste and hazardous waste and began to create an action plan for the Solid Waste chapter. The RCP Task Force identified the need for a comprehensive integrated waste management plan to guide waste decisions in the region. The RCP Task Force also identified several areas where it recommends that the EEC review current policy. These areas regard nuclear power generating facilities, low level radioactive medical wastes, and the elimination of the use of nonrenewable resources. The RCP Task Force asked staff to report the Task Force's progress on the Solid Waste chapter to the Energy and Environment Committee.

BACKGROUND:

At the December 15, 2004 meeting, SCAG staff presented the applicable SCAG policies related to solid waste and led a discussion on potential implementation actions to be included in the chapter. The Task Force contributed several potential actions. The most pressing concern that the Task Force identified is the need for a comprehensive integrated waste management system in the region. This type of system is needed to adequately plan for future waste disposal as well as to work together to divert waste from landfills through reducing the amount of products used, reusing products, and recycling products.

The RCP Task Force offered several additional actions, including:

- Using conversion technology as a way to divert waste from landfills;
- Implementing a construction management ordinance to mandate construction waste recycling;
- Expanding the number of governments with procurement policies that favor recyclable materials;
- Rewarding program implementation goals in place of strict numerical targets;
- Phasing out the use of hazardous materials; and
- Integrating regional plans with the State solid waste plans.



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MEMO

The RCP Task Force identified several waste issues and recommends the EEC review these issues and establish policies to guide SCAG's work in the areas of:

- Working toward a reduction and elimination of the use of nonrenewable materials;
- Decommissioning nuclear power plants and prohibiting future nuclear power plants in the region; and
- Disposal options for low level radioactive medical wastes.

Over the next series of meetings, the RCP Task Force will review adopted policies in each chapter of the Regional Comprehensive Plan (RCP) and provide input. Discussion will focus on the existing SCAG policies regarding the subject areas and how to craft an Action Plan that stakeholders can use to implement the regional policies.

The Solid Waste chapter describes the current conditions for solid waste management, including hazardous waste, and describes the objectives of regional solid waste planning. However, the major focus of this and the other RCP chapters is on specific actions for specific stakeholders. The actions are drawn from the SCAG adopted policies as committed in the:

- 2004 Regional Transportation Plan Program Environmental Impact Report,
- Solid Waste Task Force Report of April 1997, and
- Southern California Hazardous Waste Management Plan of July 1989.

Staff contacted SCAG's Solid Waste Task Force participants to solicit input in developing the outline for the Solid Waste chapter. Experts who responded were interested in addressing:

- conversion technologies,
- other solid waste facilities including transfer stations,
- rail transport of solid waste,
- universal waste (fluorescent light bulbs, batteries, etc.), and
- electronic waste.

One expert suggested that the outline include the hazardous waste policies recommended in the Southern California Hazardous Waste Management Plan. Another suggested reconvening the Solid Waste Task Force.



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